

# Table of General Costs

The following table sets out the general types of costs that courts are authorized to order and the offenses, or categories of offenses, to which they apply. See *People v Cunningham (Cunningham II)*, 496 Mich 145, 147, 158 n 11 (2014), holding that courts have authority to impose costs in criminal cases only where such costs are specifically authorized by statute, and that neither [MCL 769.1k\(1\)\(b\)\(ii\)](#) nor [MCL 769.34\(6\)](#) provides a sentencing court with the independent authority to impose *any* cost; see also [MCL 769.1k\(1\)\(b\)\(iii\)](#), added by 2014 PA 352, effective October 17, 2014, as “a curative measure” in response to *Cunningham II* to specifically permit the collection of court costs.<sup>1</sup> The bold words that appear in each quotation are added so that the costs-related language can be easily identified; they should not be construed as adding emphasis. The “any cost” provision in [MCL 769.1k\(1\)\(b\)\(iii\)](#) is applicable until October 17, 2020.

In addition to the general costs set out in this table, individual criminal offenses may be subject to the imposition of other specified costs, such as the cost of prosecution or emergency services. See the Michigan Judicial Institute’s [Table of Felony Costs](#) and [Table of Misdemeanor Costs](#) for these offenses.

Imposition of costs is discretionary unless otherwise indicated.

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<sup>1</sup> See 2014 PA 352, enacting section 2. See also *People v Konopka*, 309 Mich App 345, 357 (2015) (holding that court costs may be awarded under [MCL 769.1k\(1\)\(b\)\(iii\)](#), as amended by 2014 PA 352, effective October 17, 2014).

Type of Cost	Statutory Provision(s) Authorizing Costs	Eligible Offenses
Minimum state cost	<a href="#">MCL 769.1j</a> <a href="#">MCL 769.1k(1)(a)</a> <a href="#">MCL 771.3(1)(g)</a> <a href="#">MCL 771.3(8)</a> <a href="#">MCL 771.3(9)</a> <a href="#">MCL 771.3(10)</a> <a href="#">MCL 791.236(8)</a> See also <a href="#">MCL 600.8381</a> ; <a href="#">MCL 712A.18m</a>	<p><b>All felonies, misdemeanors, and ordinance violations</b></p> <p>(<u>Mandatory</u> “if the court orders [the defendant] to pay any combination of a fine, costs, or applicable assessments[.]” However, a probationer not in willful default may petition the court for remission of any unpaid portion of the minimum state cost; see <a href="#">MCL 771.3(6)(b).</a>)</p> <p>(Applies even if sentencing is delayed, entry of judgment of guilt is deferred, or the defendant is placed on probation or paroled.)</p>
Court costs	<a href="#">MCL 769.1k(1)(b)(iii)</a>	<p><b>All criminal offenses</b></p> <p>(Applies even if sentencing is delayed or entry of judgment of guilt is deferred, if the defendant is placed on or discharged from probation, or if probation is revoked.)</p> <p><a href="#">MCL 769.1k</a> was amended by 2014 PA 352, effective October 17, 2014; the amendments, including the addition of <a href="#">MCL 769.1k(1)(b)(iii)</a>, “appl[y] to all fines, costs, and assessments ordered or assessed under . . . <a href="#">MCL 769.1k</a>[ ] before June 18, 2014, and after [October 17, 2014].” 2014 PA 352, enacting section 1. See also <i>People v Konopka</i>, 309 Mich App 345, 357 (2015). This provision is applicable until October 17, 2020. See <a href="#">MCL 769.1k(1)(b)(iii)</a>.</p>
Crime Victim’s Rights Fund Assessment	<a href="#">MCL 780.905</a> <a href="#">MCL 771.3(1)(f)</a>	<p><b>All felonies, misdemeanors, and ordinance violations</b></p> <p>(<u>Mandatory</u> for any charge that “is resolved by conviction, assignment of the defendant to youthful trainee status, a delayed sentence or deferred entry of judgment of guilt, or in another way that is not an acquittal or unconditional dismissal[.]”)</p> <p>(Applies to defendants placed on probation.)</p>

Type of Cost	Statutory Provision(s) Authorizing Costs	Eligible Offenses
Probation supervision fee/costs	<a href="#">MCL 771.1(3)</a> <a href="#">MCL 771.3(1)(d)</a> <a href="#">MCL 771.3(2)(c)</a> <a href="#">MCL 771.3(5)</a> <a href="#">MCL 771.3(9)</a> <a href="#">MCL 771.3(10)</a> <a href="#">MCL 771.3c</a>	<p><b>Any offense for which the court sentences the defendant to probation, delays sentencing, or defers entry of judgment of guilt</b></p> <p>(<u>Mandatory probation supervision fee</u> applies to defendants sentenced in <b>circuit court only</b> (see <a href="#">MCL 771.3(1)(d)</a>; <a href="#">MCL 771.3(9)</a>; <a href="#">MCL 771.3c</a>); defendants sentenced in <b>district court</b> or <b>municipal court</b> may be required to pay probation supervision costs (see <a href="#">MCL 771.3(2)(c)</a>; <a href="#">MCL 771.3(5)</a>; <a href="#">MCL 771.3(10)</a>)).</p>
Costs of prosecution—probationers	<a href="#">MCL 771.3(2)(c)</a> <a href="#">MCL 771.3(5)</a> <a href="#">MCL 771.3(9)</a> <a href="#">MCL 771.3(10)</a>	<p><b>Any offense for which the court sentences the defendant to probation, delays sentencing, or defers entry of judgment of guilt</b></p>
Costs of prosecution—as authorized by statute for certain offenses and violations	Various	<p><b>Only as specifically authorized by statute (refer to the statutory provision(s) applicable to the particular offense or violation; see also <a href="#">Table of Felony Costs</a> and <a href="#">Table of Misdemeanor Costs</a>)</b></p> <p>(<b>Mandatory or discretionary</b> as provided by the applicable statute.)</p>
Expenses of providing legal assistance	<a href="#">MCL 769.1k(1)(b)(iv)</a> <a href="#">MCL 771.3(2)(c)</a> <a href="#">MCL 771.3(5)</a>	<p><b>All criminal offenses</b></p> <p>(Applies even if sentencing is delayed or entry of judgment of guilt is deferred, if the defendant is placed on or discharged from probation, or if probation is revoked.)</p>
Costs incurred in compelling the defendant's appearance	<a href="#">MCL 769.1k(2)</a> <a href="#">MCL 257.729</a> (Michigan Vehicle Code)	<p><b>All criminal offenses and Michigan Vehicle Code (MVC) violations</b></p> <p>(Applies even if sentencing is delayed or entry of judgment of guilt is deferred, if the defendant is placed on or discharged from probation, or if probation is revoked.)</p> <p>(For MVC violations: <a href="#">MCL 257.729</a> provides: "In addition to a fine assessed for the charge or civil infraction when found guilty or determined responsible, the magistrate may also add to any fine and costs levied additional costs incurred in compelling the appearance of the person, which additional costs shall be returned to the general fund of the unit of government incurring the costs.")</p>

Type of Cost	Statutory Provision(s) Authorizing Costs	Eligible Offenses
Reimbursement for governmental expenses incurred in relation to the incident, including expenses for emergency response and expenses of prosecution	<a href="#">MCL 769.1f</a> <a href="#">MCL 769.1k(1)(vi)</a>	<p><b>Enumerated offenses only (see <a href="#">MCL 769.1f(1)(a)-(l)</a> and <a href="#">MCL 769.1f(9)</a>)</b></p> <p>(<u>Mandatory</u> for offenses listed in <a href="#">MCL 769.1f(9)</a>; discretionary for other enumerated offenses.)</p> <p>(Applies even if sentencing is delayed or entry of judgment of guilt is deferred, if the defendant is placed on or discharged from probation, or if probation is revoked.)</p> <p>(If the defendant is placed on probation or paroled, any reimbursement ordered under <a href="#">MCL 769.1f</a> must be a condition of probation or parole.)</p> <p>(Allowable expenses include salaries or wages, including overtime pay, of law enforcement personnel; salaries, wages, or other compensation, including overtime pay, of fire department and emergency medical services personnel; cost of medical supplies lost or expended; salaries, wages, or other compensation, including overtime pay, of prosecution personnel; and cost of extradition. See <a href="#">MCL 769.1f(2)</a> for additional details.)</p>
Reimbursement to public community college, public college, public university, or state or local governmental unit for expenses incurred as a result of riot, incitement to riot, unlawful assembly, or civil disorder	<a href="#">MCL 769.1g(1)(b)</a>	<p><b>Any offense that the court determines was directly related to a riot, incitement to riot, unlawful assembly or civil disorder on or within 2,500 feet of a public community college, public college, or public university campus in the state</b></p> <p>(“The amount [ordered] shall be reasonable and shall not exceed the individual’s pro rata share of the costs[, and r]eimbursement . . . shall otherwise be made in the same manner as reimbursement under [<a href="#">MCL 769.1f</a>].”)</p>
Costs of mandatory counseling program	<a href="#">MCL 769.4a(3)</a>	<p><b>Domestic violence/spousal abuse offenses subject to deferred adjudication under <a href="#">MCL 769.4a</a> (see <a href="#">MCL 769.4a(1)</a> for enumerated offenses)</b></p>

Type of Cost	Statutory Provision(s) Authorizing Costs	Eligible Offenses
Costs of prosecution and other reasonable costs and expenses	<a href="#">MCL 774.22</a>	<p><b>Municipal court convictions</b></p> <p>“If the accused is tried and found guilty in a municipal court, either by the court or by a jury, or is convicted upon a plea of guilty, the court shall render judgment and sentence the accused, either by a fine, imprisonment, or both, as the case may require. The court also may order the accused to pay the <b>costs of prosecution and other reasonable costs and expenses, direct and indirect</b>, as the public has been put to in connection with the offense, not to exceed \$15.00 in a criminal case. The punishment provided for by the sentence shall not exceed the limit fixed by law for the offense charged.” <a href="#">MCL 774.22</a>.</p>
Costs of testing/examination for certain sexually-transmitted diseases	<a href="#">MCL 333.5129(10)</a>	<p><b>Enumerated sexual offenses only (see <a href="#">MCL 333.5129(1)-(4)</a>)</b></p> <p>Under certain circumstances, the court must order a defendant who is charged with an enumerated sexual offense to undergo examination and/or testing for certain diseases. <a href="#">MCL 333.5129</a>. “The court may, upon conviction or the issuance . . . of an order adjudicating a child . . . [under <a href="#">MCL 712A.2(a)(1)</a>], order an individual who is examined or tested under [<a href="#">MCL 333.5129</a>] to pay <b>the actual and reasonable costs of that examination or test</b> incurred by the licensed physician or local health department that administered the examination or test.” <a href="#">MCL 333.5129(10)</a>.</p> <p>(See <a href="#">MCL 333.5129(11)</a> for additional instructions concerning these costs.)</p>
Cost of insurance or supervision for community service	Various individual penal statutes	<b>Various offenses as prescribed in individual penal statutes (see, e.g., <a href="#">MCL 259.185(9)</a>; <a href="#">MCL 324.82128(3)</a>)</b>
Costs of substance abuse screening, assessment, and rehabilitative services	Various individual penal statutes	<b>Various offenses as prescribed in individual penal statutes (see, e.g., <a href="#">MCL 259.185(10)</a>)</b>

Type of Cost	Statutory Provision(s) Authorizing Costs	Eligible Offenses
Cost of lifetime electronic monitoring	<a href="#">MCL 791.285(2)</a>	<p><b>First-degree or second-degree criminal sexual conduct, when committed by an individual 17 years old or older against an individual less than 13 years of age</b></p> <p>(Mandatory)</p>
All costs, including legal defense fees, that were paid by a public employee retirement system	<a href="#">MCL 38.1133f(1)</a>	<p><b>A felony or misdemeanor arising out of his or her service to a public employee retirement system</b></p> <p>“An investment fiduciary or a service provider who is convicted of or who enters a nolo contendere plea accepted by a court for a felony or misdemeanor arising out of his or her service to a system is considered to have breached the public trust and <b>shall reimburse the system for all costs, including legal defense fees, that were paid by the system.</b> The system shall use reasonable efforts to collect any fees and costs recoverable under this subsection.” <a href="#">MCL 38.1133f(1)</a>.</p> <p>(Mandatory)</p>